



PATENT

Attorney Docket No.: 046124-5064

105
#3 5-25-03
refiled

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Hirofumi MIYAJIMA et al.) Confirmation No.: 3311
Application No.: 09/773,510) Group Art Unit: 2826
Filed: February 2, 2001) Examiner: J. Mondt
For: HEAT SINK AND SEMICONDUCTOR)
LASER APPARATUS AND)
SEMICONDUCTOR LASER STACK)
APPARATUS USING THE SAME)

Commissioner of Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Action, a Notice of Allowance, or another action that closes prosecution in the above-referenced application. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00, as specified by § 1.17(p).

A copy of the European Search Report is enclosed for the Examiner's consideration.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

The following documents are listed on the accompanying PTO Form 1449 and are in a language other than English.

1. German Patent Publication No. DE 43 15 580 A1. The relevance of this document can be understood from the attached European Search Report.

2. German Patent Publication No. DE 195 06 093 A1. The relevance of this document can be understood from the attached European Search Report.

3. Japanese Patent Publication No. 9-102568. The relevance of this document can be understood from the attached English-language Abstract.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "Prior Art." If it should be determined that the listed documents do not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this

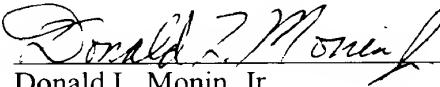
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application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: April 30, 2003

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			Applicant(s): Hirofumi MIYAJIMA et al.				
			Filing Date: February 2, 2001		Group Art Unit: 2826		
U.S. PUBLICATION DOCUMENTS							
*Examiner Initial		Publication Number	Publication Date	Name	Class	Sub Class	Filing Date
		5,903,583	May 11, 1999	Ullman et al.	372	35	Aug. 29, 1996
		5,079,619	Jan. 7, 1992	Davidson	357	81	Jul. 13, 1990
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub Class	<u>Translation</u> YES NO
		DE 43 15 580 A1	Nov. 17, 1994	Germany			X
		DE 195 06 093 A1	Aug. 29, 1996	Germany			X
		09-102568 w/Eng. Abstr.	Apr. 15, 1997	Japan		w/Eng. Abstr.	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
Examiner			Date Considered				
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							